

REMARKS

Claims 1, 8, 12, 13, 22, and 28 have been amended to clarify the subject matter regarded as the invention. Claims 1 – 28 are pending.

The Examiner has rejected independent claims 1, 12, 13, and 22 under 35 U.S.C. 102(e) as being anticipated by Growney et al.

The rejection is respectfully traversed. Independent claims 1, 12, 13, and 22 recite “each buyer is associated with its own combination of lots that are bid on by that particular buyer and there is at least one lot receiving bids from more than one buyer being an overlap portion” and “awarding the overlap portion to a winning buyer.” For convenience and without limitation, one embodiment is shown in Table 1 and accompanying description. In that example, each buyer decides on a combination of lots to bid on. Buyer 1 decides to bid on a combination of lots A – C; buyer 2 decides to bid on a combination of lots C – E. Lot C in that example is the overlapping portion and is awarded to the winning buyer (buyer 2). In Col 7, lines 64 - 67 of Growney et al. cited by the Examiner, the first buyer makes a bid on 100 units and the second buyer makes a bid on 25 units. Using the techniques of Growney et al., a bidder is able to split a lot into a smaller subplot to bid on. It is believed that this is not the same as the subject matter recited by claims 1, 12, 13, and 22 and claims 1, 12, 13, and 22 are allowable.

Claims 2 – 11, 14 – 21, and 23 – 28 depend from claims 1, 13, and 22 (respectively) and are believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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